

Sec. 18. SEVERABILITY. If any section of this Act, or any portion of any section of this Act, is found unconstitutional or otherwise unenforceable by a court, the remaining sections and portions of sections shall be given effect to the fullest extent possible.

Approved May 18, 1999

CHAPTER 137

CITY AND CITY UTILITY PUBLIC IMPROVEMENT CONTRACTS — EARLY COMPLETION INCENTIVES

H.F. 115

AN ACT relating to the award of a contract for a public improvement by a city or the governing body of a city utility.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 384.99, Code 1999, is amended to read as follows:
384.99 AWARD OF CONTRACT.

The contract for the public improvement must be awarded to the lowest responsible bidder, provided, however, that contracts relating to public utilities or extensions or improvements thereof, as described in division V of this chapter, may be awarded by the governing body as it deems to be in the best interests of the city. This section shall not be construed to prohibit a city in the award of a contract for a public improvement or a governing body of a city utility from providing in the award of a contract for a public improvement, an enhancement of payments upon early completion of the public improvement if the availability of the enhancement payments is included in the notice to bidders, the enhancement payments are competitively neutral to potential bidders, the enhancement payments are considered as a separate item in the public hearing on the award of contract, and the total value of the enhancement payments does not exceed ten percent of the value of the contract.

Approved May 18, 1999

CHAPTER 138

ADOPTION PROCEDURES

H.F. 172

AN ACT relating to adoption procedural requirements including those related to investigations, reports, and counseling.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 600.8, subsection 1, paragraph c, Code 1999, is amended by striking the paragraph and inserting in lieu thereof the following:

c. A background information investigation and a report of the investigation shall be made by the agency, the person making an independent placement, or an investigator.